

EXHIBIT 8

Page 74

1 Q. So you would travel to other territories
2 around the country to do these ride-alongs or field
3 trips?

4 A. Yes. They were usually not locally, but I
5 think there may have been at least one that was
6 local.

7 Q. Did you ever do a ride-along in Ohio?

8 A. I think I actually did one in Columbus,
9 Ohio.

10 Q. Any in northern Ohio?

11 A. None that I recall.

12 Q. How did you determine where you did the
13 ride-alongs?

14 A. Sometimes it was just trying to provide some
15 diversity of areas that I had gone. I tried to make
16 sure that I didn't just go to warm climates. So I
17 think I did go to Omaha, Nebraska once, and
18 probably --

19 Q. In the winter?

20 A. I don't recall whether it was winter or
21 summer.

22 But, yes, I tried to get some good
23 geographic distribution. I tried to, you know, go
24 with representatives that I thought could introduce
25 me to, you know, customers that they had good

Page 75

1 relationships with and that they were well thought
2 of.

3 It usually wasn't somebody that was, you
4 know, new to the company or that I would put more
5 stress on them that wasn't necessary.

6 Q. Did you ever do a ride-along in Tennessee?

7 A. I think I did.

8 Q. Do you remember which part of the state?

9 A. I think it was in Memphis.

10 Q. Was it just once or was it --

11 A. Just once.

12 Q. Was the sales messaging the same for the
13 entire country?

14 A. Yes.

15 Q. So the messaging that a sales representative
16 in Ohio would be given is the same as the sales
17 representative in Alaska?

18 A. Yeah. When you say "sales message," as it
19 relates to the product --

20 Q. Yes, sir.

21 A. -- the message would have been the same. As
22 it relates to payor information, it certainly
23 probably was different.

24 Q. In terms of the risks and benefits of a
25 particular product, the sales messaging is the same

Page 76

1 regardless of the physical location?

2 A. That would have been the same. And, you
3 know, once again, all the sales materials were
4 provided to representatives nationally that had all
5 of the standard, you know, legal approvals that I
6 described earlier.

7 Q. Okay. So the sales messaging for a product
8 in Tennessee or Ohio or California or Alaska, they
9 were all the same?

10 A. Correct. I mean, to the best of our ability
11 to monitor that.

12 Q. What do you mean by that?

13 A. Well, in one place somebody may have put
14 more emphasis on some aspects of the message that
15 they were more comfortable with or thought it was,
16 you know, more important to that customer. Our
17 customers might have been slightly different, so --

18 Q. That was in the discretion of the
19 salesperson?

20 A. That would have been at the discretion of
21 the salesperson but still using the approved
22 promotional materials.

23 Q. And the approved promotional materials were
24 the same throughout the country?

25 A. Correct.

Page 77

1 Q. Were sales representatives given, while you
2 were at Mallinckrodt, any training for identifying
3 prescribers who may have been overprescribing
4 opioids?

5 A. There was some training. We had a
6 pharmacist from our scientific affairs group who,
7 you know, spent time as part of the training
8 describing kind of what that might look like and
9 understanding other aspects of just the pharmacy.

10 Q. Okay. When was that training done?

11 A. It would have been done for new hires, so
12 somewhere during the first months of their
13 employment.

14 Q. Who was the person from scientific affairs
15 who did that training?

16 A. I can't remember her name.

17 Q. It was a woman?

18 A. It was a woman.

19 Q. Was it the same person during the four years
20 you were at Mallinckrodt?

21 A. I think it was.

22 Q. Part of that training was helping sales
23 representatives identify prescribers who may have
24 been overprescribing opioids?

25 A. It was, as I recall, it was training that

Page 90

1 the year-end of 2012, was the central region sales
 2 director looking exclusively at Exalgo performance
 3 when it came to the year-end evaluations of his
 4 district managers?
 5 A. Sorry, I don't recall that far back.
 6 Q. Okay. Mr. Meyer goes on to say: "Make sure
 7 you are driving Exalgo every day and every single
 8 sales call that you are on with your
 9 representatives."
 10 Do you see that?
 11 A. Yes.
 12 Q. Do you recall in 2012, that the central
 13 region district managers were instructed that they
 14 should be driving Exalgo every day and every single
 15 sales call they are on with their representatives?
 16 A. You know, once again, these are Jay's words,
 17 not mine. It was probably the number one weighted
 18 product for incentive compensation that year, I'm
 19 guessing. I don't remember specifically. We'd have
 20 to go back and look at the incentive plan to see how
 21 it was weighted.
 22 But I think at that time we also had three
 23 other products we were promoting as well, so -- but
 24 this could have been the most heavily weighted of
 25 the products. But it would have been the same

Page 91

1 nationally, not just for Ohio or anywhere else.
 2 Q. And what do you mean when you say it's the
 3 "number one weighted product"?
 4 A. Well, the incentive compensation.
 5 Q. Those are the bonuses?
 6 A. The bonuses would have been weighted by
 7 product. So once again, we had other products that
 8 we were promoting. Some were -- every year they
 9 were weighted a little differently.
 10 But Exalgo probably was the number one
 11 weighted, which meant it might have been a higher
 12 percentage of the incentive compensation went to
 13 this product's performance versus others.
 14 Q. Okay. So the -- if it's the number one
 15 weighted, it means that if there is an increase in
 16 market share caused by an increase in prescriptions
 17 for Exalgo, that would mean more money and bonuses
 18 to the sales representative and the district
 19 managers?
 20 A. Depending on what the compensation metrics
 21 were.
 22 Q. Uh-huh.
 23 A. Once again, remembering that Exalgo
 24 prescriptions were always coming from another opioid
 25 product.

Page 92

1 Q. So it was always about market share for
 2 Exalgo?
 3 A. Yes. Yes.
 4 Q. So when you say something is the "number one
 5 weighted product," it means that when calculating
 6 the bonuses for the sales representatives, the
 7 number of prescriptions for that product weighed
 8 more heavily in assessing the number -- the amount
 9 of the bonus?
 10 A. Correct.
 11 Q. Okay. You, if you scroll up here, there is
 12 another e-mail. This is from you to Mr. Terifay on
 13 August 22nd of 2012, at 2:01:59 p.m., and you say
 14 there: "Good opportunity to see the trickle-down
 15 communications, or in this case trickle-up, in
 16 follow-up to our NLM."
 17 Do you see that?
 18 A. Yeah.
 19 Q. Okay. What is "NLM"?
 20 A. I don't remember. I really don't remember.
 21 Q. Could that mean -- could that be "NSM," like
 22 national sales meeting?
 23 A. No.
 24 Q. You think it's something else?
 25 A. No. It might have been national leadership

Page 93

1 meeting. I'm not sure.
 2 Q. And what do you mean by "trickle-up
 3 communications"?
 4 A. Just the sequence of e-mails was coming from
 5 a territory to a district to a region to the
 6 national level.
 7 Q. I see. Okay.
 8 You didn't express any disagreement with the
 9 message conveyed by either Mr. McDaniel or Mr. Meyer
 10 in this e-mail, did you?
 11 A. My comments were very brief. You're
 12 correct.
 13 Q. Did you have a disagreement with the
 14 messages from either Mr. Meyer or Mr. McDaniel?
 15 A. That being a hypothetical that I don't
 16 remember.
 17 Q. And as you sit here today, looking at these
 18 messages from Mr. McDaniel or Mr. Meyer, is there
 19 anything in there that stands out to you as being
 20 something you disagree with?
 21 A. I haven't read the whole, all the bullets,
 22 so I'm not sure; but in general, it represents
 23 typical communication, maybe, within the sales
 24 organization.
 25 Q. Okay. Do you have any beef with it --

<p style="text-align: right;">Page 342</p> <p>1 I don't -- wouldn't recall.</p> <p>2 Q. Okay. And do you know if any pictures or</p> <p>3 videos were ever taken of the Run Through the</p> <p>4 Warehouse?</p> <p>5 A. I do not recall.</p> <p>6 Q. Okay. Have you ever seen any pictures or</p> <p>7 videos of the Run Through the Warehouse?</p> <p>8 A. Maybe just something used in follow-up,</p> <p>9 short segments of it.</p> <p>10 Q. Okay. And where would you have seen those?</p> <p>11 A. Maybe at a national sales meeting.</p> <p>12 Q. Okay. Do you recall what year?</p> <p>13 A. No, I don't.</p> <p>14 Q. Do you recall what national sales meetings?</p> <p>15 A. No, I don't.</p> <p>16 Q. Okay. You don't have any copies or</p> <p>17 photographs of any videos or photographs?</p> <p>18 A. I do not.</p> <p>19 MS. HERZFELD: Okay. I don't think I have</p> <p>20 any further questions.</p> <p>21 MR. DAVIS: If we may have just two minutes</p> <p>22 to confer briefly.</p> <p>23 THE VIDEOGRAPHER: The time is 6:18 p.m.</p> <p>24 We're going off the record.</p> <p>25 (Recess from 6:18 p.m. until 6:21 p.m.)</p>	<p style="text-align: right;">Page 344</p> <p>1 CERTIFICATE</p> <p>2 I, SUSAN D. WASILEWSKI, Registered</p> <p>3 Professional Reporter, Certified Realtime Reporter,</p> <p>4 and Certified Realtime Captioner, do hereby</p> <p>5 certify that, pursuant to notice, the deposition of</p> <p>6 RONALD P. WICKLINE was duly taken on Tuesday,</p> <p>7 November 13, 2018, at 9:06 a.m. before me.</p> <p>8</p> <p>9</p> <p>10 The said RONALD P. WICKLINE was duly sworn by me</p> <p>11 according to law to tell the truth, the whole truth</p> <p>12 and nothing but the truth and thereupon did testify</p> <p>13 as set forth in the above transcript of testimony.</p> <p>14 The testimony was taken down stenographically by me.</p> <p>15 I do further certify that the above deposition is</p> <p>16 full, complete, and a true record of all the</p> <p>17 testimony given by the said witness, and that a</p> <p>18 review of the transcript was requested.</p> <p>19</p> <p>20 _____</p> <p>21 Susan D. Wasilewski, RPR, CRR, CCP, CMRS, FPR, CCR</p> <p>22 (The foregoing certification of this transcript does</p> <p>23 not apply to any reproduction of the same by any</p> <p>24 means, unless under the direct control and/or</p> <p>25 supervision of the certifying reporter.)</p>
<p style="text-align: right;">Page 343</p> <p>1 THE VIDEOGRAPHER: The time is 6:21 p.m.</p> <p>2 We're back on the record.</p> <p>3 MR. DAVIS: We're going back on the record</p> <p>4 just so we can go off the record and reserve</p> <p>5 Mr. Wickline's rights to read and sign. Thank</p> <p>6 you.</p> <p>7 THE VIDEOGRAPHER: Any other statements for</p> <p>8 the record? Okay.</p> <p>9 The time is 6:21 p.m., November 13, 2018,</p> <p>10 going off the record, completing today's</p> <p>11 videotaped session.</p> <p>12 (Whereupon, the deposition concluded at</p> <p>13 6:21 p.m.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 345</p> <p>1 INSTRUCTIONS TO WITNESS</p> <p>2</p> <p>3</p> <p>4 Please read your deposition over carefully</p> <p>5 and make any necessary corrections. You should</p> <p>6 state the reason in the appropriate space on the</p> <p>7 errata sheet for any corrections that are made.</p> <p>8</p> <p>9 After doing so, please sign the errata sheet</p> <p>10 and date it. It will be attached to your</p> <p>11 deposition.</p> <p>12</p> <p>13 It is imperative that you return the</p> <p>14 original errata sheet to the deposing attorney</p> <p>15 within thirty (30) days of receipt of the deposition</p> <p>16 transcript by you. If you fail to do so, the</p> <p>17 deposition transcript may be deemed to be accurate</p> <p>18 and may be used in court.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>